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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,417	03/12/2004	Teng Li Chen	OP-093000174	6538

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EXAMINER

LE, KHANH H

ART UNIT	PAPER NUMBER
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2875

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/798,417	Applicant(s) CHEN, TENG LI	
	Examiner Khanh H. Le	Art Unit 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12 March 2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

Page 2, line 7 and line 2 of the Abstract, "a upper frame" should be change to --an upper frame--.

Page 4, line 11, "22" should be deleted.

In general, the application is replete with non-idiomatic English and improper grammar.

Appropriate correction is required.

Claim Objections

2. Claims 1, 3, 6, 8 and 10 are objected to because of the following informalities:

Claim 1, line 2, "shade piece" should be change to --shade pieces--, and "a upper frame" should be change to --an upper frame--.

Claim 3, "respected" should be change to --respect--.

Claim 6, "member" should be plural.

Claim 8, "the shade piece" lacks antecedent basis.

Claim 10 appears to be missing text.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-5 and 8-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Beales (US Patent No. 1,335,640).

5. With respect to claim 1, Beales discloses a demountable lampshade having a plurality of shade pieces (16), each including a frame (17) with an upper frame section (15), a lower frame section (19), and two side frame sections (18), and at least one side frame having a buckle member (22) formed thereon to clamp two corresponding side frame sections (18) when the shade pieces (16) are mounted to each other; and a connecting base located to the upper frame sections of the mounted shade pieces (16), including an outer ring (12), an inner ring (14) and a plurality of connecting rods (13) connected between the outer and inner rings.

6. With respect to claim 2, Beales discloses the demountable lampshade having a protrusion (unnumbered) formed near an end of the side frame section connected with the corresponding upper frame (15) section of each shade piece so that the outer ring is

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located between the protrusions (unnumbered) and the upper frame (15) sections of the mounted shade pieces (see Fig. 2).

7. With respect to claim 3, Beales discloses outer ring (12) of the demountable lampshade having a plurality of indentations (unnumbered, the rounded corner) with respected to the protrusions.

8. With respect to claim 4, Beales discloses a diameter of the inner ring (14) of the demountable lampshade is much smaller than a diameter of the outer ring (12).

9. With respect to claim 5, Beales discloses a number of the shade pieces (16) of the demountable lampshade are equal to a number of the indentations (unnumbered, the rounded corner).

10. With respect to claim 8, Beales discloses the shade piece of the demountable lampshade has a fanlike shape (see Fig. 1).

11. With respect to claim 9, Beales discloses the number of the shade pieces is two. It is noted that the shade of Beales comprises two pieces; the claim language allows for additional parts beyond those claimed.

12. With respect to claim 10, Beales discloses each shade piece (16) of the demountable lampshade includes a shade body is outstretched at one side frame section (18) to form an overlapping cover on the other shade piece while two shade pieces are mounted together (see Fig. 5 and 6).

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Beales (US Patent No. 1,335,640) in view of Chen (US Publication No. 2005/0111228).

15. With respect to claim 6, Beales teaches each lampshade piece (16) having one long buckle (22) formed along one side of the side frame section (18), but does not teach each lampshade having two buckles formed along one side of the side frame section.

Chen teaches a demountable lampshade using two short buckles (30) to connect the two shade pieces (10) together.

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to include a two short buckles, as taught by Chen, to connect two

shade pieces of Beales together, since two short buckles are easier to assemble than one long buckle.

16. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Beales (US Patent No. 1,335,640) in view of Juang (US Publication No. 2003/0067777).

17. With respect to claim 7, Beales teaches the demountable lampshade having a shade piece (16) that is pivotally in the buckle of the first shade piece (Figs. 5 and 6) but does not teach the shade piece having a buckle pivotally formed on the side frame section.

Juang teaches a demountable lampshade having buckle member (10), pivotally formed on the side frame section for clamping (Par. 0024, lines 7-14), enabling a closer cleave between the covers (Par. 0027, line 2) and offering users an easy way to assemble and disassemble (Par. 0009, lines 3-6) the lampshade.

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to use the buckle members that are pivotally formed on the side frame section for clamping, as taught by Juang, in the demountable lampshade of Beales, so that the buckle members enable the lamps shade of Beales a closer cleave between the covers and offer users an easy way to assemble and disassemble.

18. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Beales (US Patent No. 1,335,640) in view of Sviland (US Patent No. 6,786,621).

19. With respect to claim 11, Beales teaches the shade body of the demountable is made of glass and metal materials but does not teach the shade body is made of a plastic material of Polystyrene.

Sviland teaches that the shade body of a lamp can be made of Polystyrene since Polystyrene is heat resistant and is flexible to be bent to form the lampshade (Col. 2, lines 54-61).

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to use Polystyrene, as taught by Sviland, to make the lampshade body of Beales, since Polystyrene is heat resistant and is flexible to be bent to form the lampshade.

20. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Beales (US Patent No. 1,335,640) in view of Huang (US Patent No. 4,688,155).

21. With respect to claim 12, Beales teaches the shade body of the demountable is made of glass and metal materials but does not teach the shade body is made of a plastic material of Polyvinyl Chloride.

Huang teaches the shade body of a lamp can be made of Polyvinyl Chloride since Polyvinyl Chloride is a flexible material that can be used to form the lampshade (Col. 2, lines 47-48).

It would have been obvious to one having ordinary skill in the art, at the time the invention was made, to use Polyvinyl Chloride, as taught by Huang, to make the

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lampshade body of Beales, since Polystyrene is a flexible material that can be use to form the lampshade.

Conclusion

22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Madan et al. (US Patent No. 2,496,842) discloses a lampshade having multiple identical shade pieces, having a groove on each shade pieces to hold a base, Lin et al. (US Patent No. 6,837,597) discloses a lampshade having multiple identical shade pieces. Cloer (US Patent No. 2, 817,008) discloses a lampshade having a base with an inner ring, an outer ring, and indentation on the outer ring.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh H. Le whose telephone number is (571) 272-8325. The examiner can normally be reached on Monday - Friday, 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Renee Luebke can be reached on (571) 272-2009. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Khanh H. Le
Examiner
Art Unit 2875

KHL



RENEE LUESKE
PRIMARY EXAMINER